IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Bail Appl..No. 1376 of 2007()

CRIME NO. 92/04 OF PERINTHALMANNA POLICE STATION

PETITIONER/ACCUSED

ISMAIL,AGED 33,S/O KUNJUMOIDEEN,
ORAVAKKIZHAYIL HOUSE,CHERUPPULASSERY AMSOM,
THOOTHA.

BY ADV. SMT.RINCI ANTONY.T

RESPONDENTS: COMPLAINANTS

STATE- REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.1376 of 2007

DATED: 8th March 2007

O R D E R

Petitioner who is the sole accused in Crime No. 92 of 2004 of Perinthalmanna Police Station for offences punishable under Sections 283 and 353 of I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. 244/04 on the file of J.F.C.M.-I, Perinthalmanna the case against him was split up and transferred to the Long Pending Case Register as L.P. No. 66/06. Admittedly, non-bailable warrant of arrest are pending against the petitioner.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today today, the same shall be considered and disposed of preferably on the same date on which it is filed after examining the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is dismissed.

V.RAMKUMAR,
JUDGE.

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